



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,291	06/25/2003	Franklin Reynolds	042933/261806	2763

826 7590 10/11/2007  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

EXAMINER
----------

RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
----------	--------------

2614

MAIL DATE	DELIVERY MODE
-----------	---------------

10/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p align="center">10/606,291</p>	<p><b>Applicant(s)</b></p> <p align="center">REYNOLDS, FRANKLIN</p>	
	<p><b>Examiner</b></p> <p align="center">Melur Ramakrishnaiah</p>	<p><b>Art Unit</b></p> <p align="center">2614</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12-16-2005</u> .  | 6) <input type="checkbox"/> Other: _____                          |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-11, 13-17, 19-22 are rejected under 35 U.S.C 102(b) as being anticipated by Myers ("USING HANDHELDS AND PCS TOGETHER" COMMUNICATIONS OF THE ACM [On line] vol. 44, no. 11, November 2001).

Regarding claim 1, Myers discloses (see cited passages): A system for interacting with a shared electronic display (page 37, left-hand column), the system comprising: at least one mobile station (handhelds, PDAs, mobile phones, watches, etc), wherein each mobile station is capable of storing a personal profile of a user of the respective mobile station (it is well known and therefore implicit that any mobile station necessarily provides an identifier when communicating with the system, the identifier constituting a "profile of a user of the respective mobile station", this is clearly the situation for handhelds of Myers, which function as personal universal controller PUC, see page 38, right hand column, last paragraph, and page 40, right hand column, 2<sup>nd</sup> paragraph), , and a processor (presentation computer or PC or instructor's machine at page 36, main PC at pages 37-38 right-hand column) capable of generating a position indicator (cursor, see page 37-38 in particular the sentence bridging pages 37-38) based upon the respective profile of the at least one mobile station (separate or own cursor for each person using handheld, it is implicit in Myers that mobile station would

Art Unit: 2614

be first identified based on the identifier, before corresponding user specific cursor is generated and displayed), wherein the processor is capable of driving the electronic display to present information and the position indicator of the at least one mobile station (see at page 38, left-hand column, in particular the so called single display groupware: all users share the same screen and applications), and wherein the processor is capable of communicating with the at least one mobile station such that each mobile station is capable of directing a position of the respective position indicator presented on the electronic display (page 38, left-hand column).

Independent claims 7, 13, 19 also rejected on the same basis as claim 1.

Regarding claims 2, 8, 14, 20, Myers further discloses: transmitting information to and receiving information from at least one mobile station (page 36, left-hand column).

Regarding claims 3, 9, 15, 21, Myers further discloses: directing the position of the respective position indicator to thereby select at least one selectable object (see in particular page 38: "all users share the same screen and therefore the same widgets, applications", and the paragraph bridging the left and right column of page 38); and transmitting information to and receiving information from at least one mobile station when the respective at least one mobile station selects at least one selectable object (page 39, left-hand column, wherefrom it is clear that handhelds or PDAs are used as "programmable input/output peripherals", thus communication with the processor in both directions).

Regarding claims 4, 10, 16, 22, Myers further discloses: modifying at least a portion of the information presented by the electronic display in response to at least

one of transmitting information to and receiving information from at least one mobile station (see page 37 left-hand column: "each person's handheld can control the display ...").

Regarding claims 5, 11, 17, Myers further discloses: modifying at least one position indicator to indicate an operational mode of the respective at least one position indicator (page 38, left-hand column, last paragraph).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 12, 18, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myers.

Regarding claims 6, 12, 18, 23, Myers discloses: the functionality of each person having its position indicator, i.e. its own or separate cursor (corresponding to the respective handheld device or PDA) on the shared display (page 37-38 of Myers). Based on this disclosure, the skilled person in the art of interfaces understands that some sort of personal profile – a minimum solution would consist in using the identifier corresponding to the mobile station (handheld or PDA) or its user – has to be provided for generating the corresponding, specific position indicator (see page 38, left-hand column: assigning each user a different color or shape used in at the user's cursor), the profile necessarily stored in the system.

While storing the profile (e.g. the identifier of the mobile station) in the mobile station of the given person constitutes one straightforward possibility, an obvious alternative is to store the profile, or at least part of it, somewhere else in the system, sparing thereby the limited storage area of the mobile station. this alternative evidently requires that an identifier of some sort is provided by the mobile station during communication with the processor for identifying the mobile station and/or its user (for example the identifier provided in any mobile station for the purpose of identification during communication), that identifier being used to access the profile, or part of the profile, at the processor, or at any other place where the profile/part of the profile is stored. Hence the person skilled in the art at the time invention was made, when implementing teaching of Myers, would arrive at the subject matter of claims 6, 12, 18, 23 without an inventive step being involved.

5. Claims 1-5, 7-11, 13-17, 19-23 are rejected under 35 U.S.C 102(b) as being anticipated by Kawashima et al. (US2002/0059308, hereinafter Kawashima).

Regarding claims 1, Kawashima discloses a system for interacting with a shared display, the system comprising: at least one mobile station (reads on remote controller) is capable of storing personal profile of user of the respective mobile station (this is implied as the reference teaches identifying each individual cursor by different color and different shape or each name of the respective user (paragraph: 0053), a processor (12, fig. 5) capable of generating a position indicator based on respective personal profile of at least one mobile station, wherein the processor is capable of driving the electronic display (24, fig. 5) to present information and position indicator of at least one mobile

station, and wherein the processor is capable of communicating with at least one mobile station such that mobile station is capable of directing the position of respective position indicator (fig. 3) presented on the display (paragraphs: 0052-0053; 0057; 0058 – 0059; 0065; 0069).

Independent claims 7, 13, 19 are rejected on the same basis as claim 1.

Regarding claims 2-5, Kawashima further teaches the following: the processor is capable of at least one transmitting information and receiving information from at least one mobile station (reads on remote controller 22, fig. 5: paragraph: 0069), processor (12, fig. 5) is capable of driving electronic display to further present at least one selectable object (fig. 3) wherein each mobile station is capable of directing a position of the respective position indicator (fig. 3) thereby select at least one selectable object, and wherein the processor is capable of at least of transmitting information to and receiving information from at least one mobile station at least one selectable object, processor is capable of modifying at least a portion of information presented by the display in response to transmitting information to and receiving information from at least one mobile station (this reads on user selecting different web page for display by the remote controller), processor is capable of modifying the position indicator to indicate an operational mode of the respective at least one position indicator (paragraphs: 0052-0053; 0057; 0065; 0069).

Claims 8-11, 14-18, 20-23 are rejected on the same basis as claims 2-5.

6. Claims 6, 12, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawashima.

Regarding claims 6, 12, 18, Kawashima discloses: the functionality of each person having its position indicator, i.e. its own or separate cursor (corresponding to the respective handheld device such as remote controller 22 in fig. 5) on the shared display (paragraphs: 0053). Based on this disclosure, the skilled person in the art of interfaces understands that some sort of personal profile – a minimum solution would consist in using the identifier corresponding to the remote controller (22, fig. 5) or its user – has to be provided for generating the corresponding, specific position indicator (fig. 3, paragraph: 0053), the profile necessarily stored in the system.

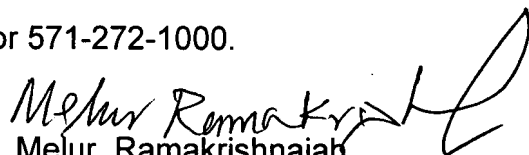
While storing the profile (e.g. the identifier of the remote control user) in the remote controller of the given person constitutes one straightforward possibility, an obvious alternative is to store the profile, or at least part of it, somewhere else in the system, sparing thereby the limited storage area of the remote controller. This alternative evidently requires that an identifier of some sort is provided by the remote controller during communication with the processor for identifying the remote control and/or its user (for example the identifier provided in any remote controller for the purpose of identification during communication), that identifier being used to access the profile, or part of the profile, at the processor, or at any other place where the profile/part of the profile is stored. Hence the person skilled in the art at the time invention was made, when implementing teaching of Kawashima, would arrive at the subject matter of claims 6, 12, 18, without an inventive step being involved.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Melur Ramakrishnaiah  
Primary Examiner  
Art Unit 2614